

United States District Court
Middle District of Florida
Jacksonville Division

MAXUM INDEMNITY COMPANY,

Plaintiff,

v.

No. 3:18-cv-477-MMH-PDB

CHARLES SHAW & TERRANCE JONES,

Defendants.

Order

An overview of this action is in the report and recommendation entered on February 5, 2020, Doc. 105, and adopted on March 25, 2020, Doc. 119. Several matters are pending. This order addresses some; a forthcoming report and recommendation addresses others.

Defendants Terrance Jones and Charles Shaw filed a “notice of withdrawal” of their original motion to dismiss, for sanctions, and for judicial notice. Doc. 124 (original motion); Doc. 125 (notice). Construing the notice as a motion, the Court **grants** it, Doc. 125, and considers the original motion, Doc. 124, withdrawn.

Plaintiff Maxum Indemnity Company filed a “notice of substitution” of counsel. Doc. 127. Jones and Shaw oppose permitting substitution of counsel. Doc. 130. Construing the notice as a motion under Local Rule 2.02(c), the Court **grants** it, Doc. 127, and permits Sina Bahadoran, Esquire, and Aaron Warren, Esquire, to withdraw from their representation of Maxum in this action.

Maxum remains represented by counsel, permitting Bahadoran and Warren to withdraw will not significantly affect case management, and Jones and Shaw provide no persuasive reason for disallowing withdrawal and for requiring Maxum to use counsel different from its own choosing.¹ Notably, the Court has twice permitted counsel for Jones and Shaw to withdraw. Docs. 45, 47, 49, 103, 106, 110.

Jones and Shaw filed a “notice of non-compliance with local rules, request for court order and request for sanctions.” Doc. 131. The notice and the requests, construed as a motion, is **denied**, Doc. 131. William Wilson, Esquire, and Brooke Turetzky, Esquire, are active members of this Court’s bar. When they filed their first paper for Maxum in this action, they made a general appearance for Maxum in this action, regardless of whether Maxum was represented by additional counsel at that time. *See* Local Rule 2.02(b) (“A lawyer’s pleading, motion, or other paper serves as that lawyer’s appearance in an action.”).²

Ordered in Jacksonville, Florida, on February 2, 2021.



PATRICIA D. BARKSDALE
United States Magistrate Judge

¹The Court will separately address alleged fraud by Warren in the forthcoming report and recommendation.

²Moreover, the request fails to comply with the requirements for a motion. *See* Local Rule 3.01 (requirements for a motion).

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